

**IN THE UNITED STATES DISTRICT COURT**  
**FOR THE DISTRICT OF ARIZONA**

<b>UNITED STATES OF AMERICA,</b>	)	
	)	<b>NO. CR 04-910-TUC-FRZ (HCE)</b>
<b>Plaintiff(s),</b>	)	
	)	<b>ORDER</b>
<b>vs.</b>	)	
	)	
<b>Curtis Ray Duchette,</b>	)	
	)	
<b>Defendant(s).</b>	)	
	)	

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This matter was referred to the United States Magistrate Judge pursuant to 28 U.S.C. §636(b)(1)(B) and the local rules of practice of this Court for hearing and report and recommendation on Defendant's Motion to Dismiss-Violation of *Petite Policy*.


On March 8, 2006, Magistrate Judge Hector C. Estrada conducted a hearing and on March 20, 2006 issued his Report and Recommendation. A copy was sent to all parties. Neither party filed objections to the Magistrate Judge's Report and Recommendation.

The Court, having made an independent review of the record herein, orders as follows:

IT IS ORDERED that Magistrate Judge Estrada Report and Recommendation is ACCEPTED and ADOPTED by this Court as the findings of fact and conclusions of law in this matter.

IT IS ORDERED that the Motion to Dismiss-Violation of *Petite Policy* is DENIED.

DATED this 20<sup>th</sup> day of April, 2006.

  
FRANK R. ZAPATA  
United States District Judge